

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JAMAR J. DRAPER,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-09-659-R
)	
JIM BAUMAN,)	
)	
Respondent.)	

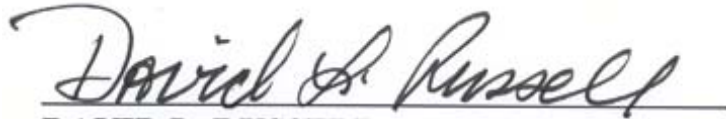
ORDER

Before the Court is the Report and Recommendation of United States Magistrate Judge Gary M. Purcell entered July 23, 2008. Doc. No. 6. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. On July 27, 2009, Petitioner did file another motion for leave to proceed *in forma pauperis* [Doc No. 7]. However, the motion contains information inconsistent with that in the prior motion, but, in any event, this motion also fails to contain the required signature of an authorized officer of the penal institution or jail, a deficiency which the Magistrate identified in the first motion and directed Petitioner to cure on or before July 14, 2009. Petitioner's failure to cure that deficiency and others in the first motion or pay the filing fee is the basis for the Magistrate Judge's recommendation that this action be dismissed.

In light of Petitioner's failure to cure that deficiency in yet a second motion for leave to proceed *in forma pauperis*, his failure to pay the filing fee and his failure to object to the

Report and Recommendation, the Report and Recommendation of the Magistrate Judge is ADOPTED and the Petitioner herein is DISMISSED without prejudice.

IT IS SO ORDERED this 11th day of August, 2009.



DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE